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11 *Attorneys for Defendant*
12 *William J. Amon*

13 IN THE UNITED STATES DISTRICT COURT
14 FOR THE CENTRAL DISTRICT OF CALIFORNIA

15 UNITED STATES OF AMERICA,

16 Plaintiff,

17 V.

18 ANDREW A. WIEDERHORN,
WILLIAM J. AMON,
REBECCA D. HERSHINGER, and
20 FAT BRANDS INC.,

21 Defendants.

19 CASE NO. 2:24-CR-00295-RGK

20 **JOINDER TO MR.
WIEDERHORN'S REPLY IN
SUPPORT OF MOTION TO
COMPEL THE PRODUCTION OF
OUTSTANDING DISCOVERY**

21 Trial: October 28, 2025
22 Hearing Date: May 12, 2025
Hearing Time: 10:00 a.m.
Dept: Courtroom 850, 8th Floor
Judge: Honorable R. Gary Klausner

1 Defendant William Amon hereby joins in Defendant Andrew A. Wiederhorn's
2 Reply in Support of Motion to Compel the Production of Outstanding Discovery (the
3 "Reply"), and in the arguments raised therein. *See* ECF No. 122. As set forth in his
4 joinder in the Motion to Compel (ECF No. 119) (the "Joinder") and herein, however,
5 Mr. Amon, has his own separate and distinct issues related to the Government's
6 allegations concerning the Wilshire Loans.

7 **I. THE GOVERNMENT HAS COMPLETELY IGNORED MR.**
8 **AMON'S JOINDER AND TO DATE HAS FAILED TO**
9 **ARTICULATE ANY BASIS FOR THE INTRODUCTION OF 25-**
10 **YEAR-OLD LOANS IN ITS CASE AGAINST MR. AMON**

11 In its Opposition, the Government willfully ignored that Bill Amon had no
12 connection to the more than 25-year-old Wilshire Loans. Indeed, Mr. Amon did not
13 begin working with Mr. Wiederhorn and his companies until 2017, after the
14 relationship partner at Andersen Tax who onboarded Mr. Wiederhorn and Fog Cutter
15 departed Andersen Tax for another job. Mr. Amon has no insight into what happened
16 in the investigation more than 25 years ago or on what basis the Government is
17 asserting that the Wilshire Loans may be appropriately introduced at a joint trial with
18 Mr. Amon.¹ If the Government persists in seeking to prejudice Mr. Amon, however, it
19 has a *Brady* obligation to produce all evidence that led to the decision not to charge
20 Mr. Wiederhorn in connection with the Wilshire Loans.

21 Moreover, Mr. Amon has spent a full six months attempting to obtain from the
22 Government what he is entitled to: an explanation of the Government's theory, and the
23 evidentiary basis for it, regarding how the decades old Wilshire Loans relate to the
24 Government's case against Mr. Amon. This information is necessary now so that Mr.
25 Amon's counsel can assess severance-related issues and other potential pre-trial

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¹Mr. Amon was never employed by Arthur Anderson, and he had no involvement or
28 knowledge of confidential presentations that were made to the Department of Justice
by counsel more than two decades ago.

1 motions, as well as to prepare for the fast-approaching trial. While the Motion itself
2 apparently caused the Government to start searching for missing materials and answers
3 regarding why those materials are missing, the Joinder had no such similar impact with
4 respect to Mr. Amon's outstanding requests. Indeed, the only mention of Mr. Amon in
5 the Opposition is the Government's representation that it "will provide a more fulsome
6 discussion of the bases for admissibility of the 1990s Shareholder Loans when
7 defendants actually move for their exclusion." Opposition, 2, n.2. While Mr. Amon
8 will move to exclude any evidence related to the decades old Wilshire Loans, both he
9 and the Court are entitled to factual notice of the legal basis for the introduction of this
10 evidence that will prejudice Mr. Amon in a joint trial with Mr. Wiederhorn. The
11 Government's continued refusal to disclose this basic information and play "hide the
12 ball" unfairly hampers Mr. Amon's preparation of his defense and violates the specific
13 notice requirements of Federal Rule of Evidence Rule 404(b).

14 DATED: May 5, 2025

15 Respectfully submitted,

16 MCDERMOTT WILL & EMERY LLP

17 By: /s/ Gordon Greenberg

18 Gordon Greenberg
Tala Jayadevan
Brandon Roker
Brennen Sharp

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